

Effective Youth Advocacy Measures

TRIS Advisory Board Meeting, June 26, 2009

Effective Youth Advocacy Measures

- Areas of legal advocacy
 - ▣ Delinquency cases
 - ▣ Education law cases
- Research categories
 - ▣ Protecting clients' rights
 - ▣ Fostering client participation
- Data collection
 - ▣ Entry of information into TRIS by YAP staff various points
 - Assessment
 - Client contact and activity
 - ▣ Self report by client

Protecting Clients' Rights

- Early stages of case
 - ▣ Did attorney enter case before arraignment?
 - ▣ Was client detained prior to arraignment?
 - ▣ What was the client's status after arraignment?
- Pre-trial preparation
 - ▣ When did attorney begin investigation on case?
 - ▣ How many interviews were conducted?
 - ▣ How many and what kinds of motions were filed in court?

Protecting Clients' Rights (continued)

- Plea negotiations/Adjudication
 - ▣ If a change of plea, were charges dropped as part of agreement?
 - ▣ If a trial, how many defense witnesses were called?
 - ▣ If a trial, how many documents did defense introduce into evidence?
- Disposition and Post-disposition Representation
 - ▣ Did defense attorney present supporting evidence at dispositional hearing?
 - ▣ If client sentenced to DYS, did attorney attend initial placement meeting?
- Team Communication
 - ▣ How many times did defense attorney meet with all members of multi-disciplinary team about case?

Three Categories of Case Information

- Charges/Referral Reason & Disposition
 - Basic information needed for legal files
 - Procedural history drawn from “activity log” for client
 - Specific information about detention, release conditions, disposition
- Discovery & Legal Filings
 - People involved in the particular case drawn from “people” list for client
 - Visual tickler system to remind practitioners to consider motions
 - Litigation documents list (from “document management”)
- Work product/legal strategy
 - Tickler system to remind practitioners to consider common issues
 - Investigation checklist/request; litigation strategy ‘note pad’
 - Work product documents list (from “document management”)

TRIS-Client Selection Court Activity with info from title bar

<https://www.tris.net/jad/yap/zhopkins/bushgeorge/courtactivity>

<p>Today is 9/13/09 CPCS-JAD YAP Home</p> <p>Ziyad Hopkins logout</p> <p>Report Print</p> <p>Conflict New Client</p> <p>Calendar Referral</p> <p>Document Management</p> <p> <input type="radio"/> Office Clients <input checked="" type="radio"/> My Clients <input type="radio"/> Active <input type="radio"/> Inactive </p> <p>Bush, George Cheney, Dick Dean, Howard Menino, Tom Mitchell, George Patrick, Deval</p>	<div style="margin-bottom: 10px;"> George Bush 7/4/94, 15 years 123 Pruned Lane Dallas, TX 12345 617-123-4678 McKinley MS 8th gr Eliot 617-740-0213 857-987-6543 617-345-9876 </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Type</th> <th>Court</th> <th>Docket Number/Nickname</th> <th>Charge</th> <th>Next Date</th> <th>Purpose</th> </tr> </thead> <tbody> <tr> <td>Criminal</td> <td>Dorchester</td> <td>DL09D1234</td> <td>Armed Robbery</td> <td>4/2/09</td> <td></td> </tr> <tr> <td>Criminal</td> <td>Dorchester</td> <td>shooting case</td> <td>Assault w/i Murder</td> <td>3/23/09</td> <td>C&E</td> </tr> <tr> <td>Criminal add</td> <td>Boston</td> <td>fight at school</td> <td>A&B</td> <td>3/30/09</td> <td>Trial</td> </tr> </tbody> </table> <p>View All Hide All</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Charges & Disposition (including procedural hx) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Type</th> <th>Year</th> <th>Court</th> <th>Docket Number</th> <th>Charge</th> <th>Statute</th> <th>Grid Level</th> <th>Charge at Disposition</th> <th>Disposition</th> <th>Method of Dispo</th> </tr> <tr> <td>DL</td> <td>9</td> <td>D</td> <td>1234</td> <td>armed</td> <td>auto</td> <td>auto</td> <td>armed</td> <td>Pending</td> <td>n/a</td> </tr> <tr> <td colspan="2">add</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>CWOF</td> <td>change of plea</td> </tr> <tr> <td colspan="10">bench jury</td> </tr> </table> </div> <p>Procedural History</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Date</th> <th>Staff</th> <th>Category</th> <th>Detail</th> <th>Outcome</th> <th>Note</th> </tr> <tr> <td>8/19/09</td> <td>Ziyad</td> <td>Court Event</td> <td>VPH</td> <td>Viol. Found</td> <td>J. Harris & PO Nagle ADA helped PO</td> </tr> </table> <p>Arraignment Info & Release Conditions</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; vertical-align: top;"> <input type="text" value=" / "/> <input type="button" value="Judge's Name"/> <input type="button" value="Prosecutor's Name"/> <input type="button" value="Probation Officer's Name"/> <input type="button" value="Sup. Ct. bail review not sought"/> </td> <td style="width: 80%; vertical-align: top;"> <input checked="" type="checkbox" value="Curfew"/> <input type="checkbox" value="ELMO/GPS"/> <input type="checkbox" value="Stay away"/> <input type="checkbox" value="Other Pretrial conditions of release"/> </td> </tr> <tr> <td style="vertical-align: top;"> <input type="button" value="C/c guardian"/> <input type="button" value="Bail set"/> <input type="button" value="Reason detained"/> <input type="button" value="Detention Facility Name and Phone number"/> </td> <td style="vertical-align: top;"> <input type="text" value="Bail amount"/> <input type="checkbox" value="Curfew"/> <input type="checkbox" value="ELMO/GPS"/> <input type="text" value="Notes"/> </td> </tr> </table> <p style="text-align: right; margin-top: 10px;"> <input type="button" value="Sup. Ct. bail re"/> <input type="button" value="Sup. Ct. bail re"/> <input type="button" value="Sup. Ct. bail re"/> </p>	Type	Court	Docket Number/Nickname	Charge	Next Date	Purpose	Criminal	Dorchester	DL09D1234	Armed Robbery	4/2/09		Criminal	Dorchester	shooting case	Assault w/i Murder	3/23/09	C&E	Criminal add	Boston	fight at school	A&B	3/30/09	Trial	Type	Year	Court	Docket Number	Charge	Statute	Grid Level	Charge at Disposition	Disposition	Method of Dispo	DL	9	D	1234	armed	auto	auto	armed	Pending	n/a	add								CWOF	change of plea	bench jury										Date	Staff	Category	Detail	Outcome	Note	8/19/09	Ziyad	Court Event	VPH	Viol. Found	J. Harris & PO Nagle ADA helped PO	<input type="text" value=" / "/> <input type="button" value="Judge's Name"/> <input type="button" value="Prosecutor's Name"/> <input type="button" value="Probation Officer's Name"/> <input type="button" value="Sup. Ct. bail review not sought"/>	<input checked="" type="checkbox" value="Curfew"/> <input type="checkbox" value="ELMO/GPS"/> <input type="checkbox" value="Stay away"/> <input type="checkbox" value="Other Pretrial conditions of release"/>	<input type="button" value="C/c guardian"/> <input type="button" value="Bail set"/> <input type="button" value="Reason detained"/> <input type="button" value="Detention Facility Name and Phone number"/>	<input type="text" value="Bail amount"/> <input type="checkbox" value="Curfew"/> <input type="checkbox" value="ELMO/GPS"/> <input type="text" value="Notes"/>
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Fostering Client Participation

- ❑ Building a trusting relationship
 - ❑ Did client share with attorney personal information?
 - ❑ Did attorney have case from arraignment or was case transferred?
- ❑ Amount of time developing relationship
 - ❑ How many face to face contacts did attorney have with client?
 - ❑ How many times did attorney visit client at home?
 - ❑ How many contacts did attorney have with family members?
- ❑ Instructing on the law and facilitating decision-making
 - ❑ Did attorney use role-play, diagrams, or other means to explain the law to client?
 - ❑ At end of representation, did client reflect an adequate understanding of the legal issues in case?

Using the calendar...

TRIS-Client Selection basic layout Runsheet
<https://www.tris.net/jad/yap/zhopkins/bushgeorge/runsheet>

Calendar Add an Event

Add View
9/13/09

Category
Office Event
Court Event
double-click, ENTER or F2 to edit

Detail
Magistrate's Hearing
Arraignment
PTC/H
Discovery Motions
Competency Hearing
Motion to Suppress
Identification
etc.

Outcome
Adjudicated Competent
Adjudicated Not competent
No Finding/Continued

Notes

George Bush
Case 1
Dorchester Juv Ct

Email Alert
Groups Name _____
Staff _____

Events Details

School litigation

- Education Law cases
 - ▣ Discipline
 - Suspension, expulsion, indefinite suspension, dis. transfer
 - ▣ Special Education
 - TEAM, eligibility, placement, services
 - ▣ Out of school
 - Drop out, push out, DYS, homeless, residency

School Litigation

□ Discipline cases

- How many witnesses did education lawyer prepare as witnesses?
- Did the education lawyer call witnesses?
- Were there further negotiations with school after hearing?
- Was an appeal filed in court?

□ Special education cases

- Was the special education issue in the case eligibility, placement, or services?
- Did the education lawyer call witnesses?
- Was an appeal filed in court?

□ Out of school clients

- Was the student able to re-enroll in school?
- Was this the student's preferred choice of school?